

810-5-75-.15 ~~Title Procedure~~ -- Application for Replacement Alabama Certificate of Title ~~(Form MVT 12-1)~~.

(1) ~~The term "Department" as used in this regulation shall mean the Department of Revenue of the State of Alabama.~~ This rule prescribes the method for applying for a replacement certificate of title by all parties other than designated agents of the department. All designated agents shall utilize the method provided by the Department to apply for replacement certificates of title.

(2) ~~The Titled titled~~ owner or lienholder of record shall ~~provide the following information on complete~~ an application for replacement title (form MVT 12-1). The MVT 12-1 shall contain the following information:

(a) Vehicle identification number, year model, make, model, ~~body type~~, number of cylinders, date of purchase, number of liens, color, and odometer reading.

(b) Owner's name, address, and the address where replacement title is to be mailed.

(c) Lienholder's name and address, if applicable.

~~(d) (e)~~ Reason replacement title is required as established in Section 32-8-43(a), Code of Alabama 1975.

~~(e) (d)~~ Signature of owner(s)/lienholder(s) or their authorized representative.

(3) If there is a lienholder of record on the title for which a replacement title is being requested, the lienholder's authorized representative shall complete the MVT 12-1 unless a separate lien release is provided in accordance with rule 810-5-75-.21.

(4) Applicant must ~~provide~~ submit the following supporting documents and fee to the department for processing. Vehicle owners may request replacement titles through a designated agent of the Department.

(a) Outstanding Alabama title unless title has been lost, stolen or destroyed.

(b) Any documents such as powers of attorney, letters testamentary, letters of administration, letters of guardianship, letters of conservatorship, trust agreements, court orders or other documents required by the Department which support the right of someone other than the owner or lienholder to sign the MVT 12-1 on behalf of the owner or lienholder. ~~If ownership of the vehicle is in joint tenancy then only one of the owners or owner's authorized representative is required to sign the application on behalf of all the owners of the vehicle.~~

(c) Fee ~~(See Schedule of Fees and Commissions - Regulation 810-5-31-.04).~~ as prescribed by Section 32-8-6, Code of Alabama 1975.

~~(5) Upon completion of the MVT 12-1 or MVT 12-1e, the applicant shall cause the MVT 12-1 or MVT 12-1e, required fee and any supporting documents to be delivered to the Department for processing.~~

~~(5) (6)~~ The issuance of a replacement title will not affect the requirement that each owner of a vehicle, other than a licensed dealer, obtain an Alabama title in the owner's name prior to transferring ownership of the vehicle.

~~(6) (7)~~ The Department will not issue a replacement title when the Department has evidence that the outstanding Alabama title was erroneously issued or fraudulently procured.

~~(7) (8)~~ Authorized employees of the Department may correct information provided on the application when the information provided is in error and does not match Department records for the vehicle. Information that may be corrected includes the vehicle identification number, year model, make, model, ~~body type~~, number of cylinders, date of purchase, number of liens, color, odometer reading and owner(s) name(s). All corrections must be proved necessary by Department records.

~~(8) (9)~~ **NOTE: A The** replacement certificate of title shall contain the following legend, "This is a replacement certificate and may be subject to the rights of a person under the original certificate." The new certificate of title will be mailed to the first lienholder named on it, or, if none, to the owner. If the new certificate of title is to be mailed to someone other than the owner(s) or lienholder, the application must be signed and dated by the owner(s) or owner's authorized representative.

Author:	Lisa Blankenship
Authority:	Sections 40-2A-7(a)(5), 32-8-3(b)(2) and 32-8-43, <u>Code of Alabama 1975</u>
History:	Repealed and New: Filed October 20, 1999, effective November 24, 1999.